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HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition No. 305 of 2005

Petitioner Radhelal Sa, S/o Shri Bhuvaneshwar Sa, aged about 35 years, Ex- Secretary, Gram Panchayat, Juridand, R/o Village Pandripani, P.O. Bhitghora, Tah. Bageecha, Distt. Jashpur.

Versus

Respondents

1. State of Chhattisgarh, through the Secretary, Panchayat & Social Welfare Department, D.K.S. Bhavan, Raipur, (C.G.)
2. Director, Panchayat, Govt. of Chhattisgarh, D.K.S. Bhavan, Raipur (C.G.)
3. The Collector, Distt. Jashpur, (C.G.)
4. Sub-Divisional Officer (Civil), Bageecha, Distt. Jashpur (C.G.)
5. Virendra Kujur, S/o Theodore Kujur, Caste: Uraon, aged about 35 years, Sarpanch, Gram Panchayat – Juridand, R/o Vill. Pirai, Tah. Bageecha, Distt. Jashpur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Sanjay Agrawal, counsel for the petitioner.

Shri Satish Gupta, Dy. Govt. Advocate for the State/ respondents No. 1 to 4 on advance copy.

None for respondent No. 5.

ORAL ORDER
(11.10.2007)

SUNIL KUMAR SINHA, J.

Heard.

Learned counsel for the petitioner submits that the petitioner was working as a Panchayat Karmi of Gram Panchayat, Juridand, Janpad Panchayat Bageecha, District Jashpur Nagar. He was removed from the said post against which, he has filed an appeal before the Sub-Divisional

Officer (S.D.O.), in which, the stay was granted by order dated 2.7.2003. Against the aforesaid order a revision was filed before the Collector, which was allowed and the order of stay granted in favour of the petitioner was set aside. Against the order passed by the Collector, the petitioner has filed another revision before the Director Panchayat but the said revision was also dismissed by order dated 9.3.2004 and thereafter, this writ petition has been filed. Therefore, the main controversy between the parties rests before the S.D.O. in the statutory appeal said to have been filed by the petitioner and the petitioner has travelled to the High Court only against setting aside the interim order, which was passed by the S.D.O.

In the facts and circumstances of the case, since the matter is against the interim order, I deem it proper to dispose of this petition with a direction that if the appeal is still pending before the S.D.O. and it has not been decided so far, the appeal itself shall be decided by the S.D.O. as early as possible preferably within a period of 3 months from the date of filing of the certified copy of this order. If the appeal has already been disposed of by now, as learned counsel for the petitioner is not in a position to make statement in this regard, this direction shall carry no force.

With the aforesaid directions, the petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

vatti